

APPENDIX F

USACE RESPONSE TO PUBLIC COMMENTS RECEIVED REGARDING DRAFT ENVIRONMENTAL ASSESSMENT

RESPONSE TO COMMENTS ON DRAFT ENVIRONMENTAL ASSESSMENT

A number of comments were received on the Draft Environmental Assessment. The responses to these comments are detailed below:

1. Robert and Carolyn Wood (email dated March 27, 2006)

Comment: Would prefer the golf course to remain at original location. Concerned about campground being closer to residential areas and possible decrease to property values.

Response: See response to Comment #13 below. The Skiatook Point Public Use Area is zoned Recreation-Intensive use in the Skiatook Master Plan prepared by USACE in September 1976. Appropriate uses on recreation-intensive zoned lands include camping, picnicking, hiking, group activities, and related activities. Proposed development under the action plan does not change the originally anticipated use of this area.

2. Dennis and Sherry Lenox (email dated March 27, 2006)

Comment: Think the golf course should stay in the original location.

Response: See response to Comment #13 below.

3. Paul Kallenberger (email dated March 28, 2006)

Comment: Objects to proposed move of the golf course from Skiatook Point to Tall Chief Cove. Original plan gained support of Skiatook residents and lake neighborhoods because the golf course was located closer to Skiatook. Proposed relocation will make it more difficult for residents to use the golf course. Better golf course setting present at Skiatook Point.

Response: See response to Comment #13 below. Travel time from the Town of Skiatook to the proposed golf course at Tall Chief Cove will be less than five minutes more than if the course was constructed at Skiatook Point. Constructing the golf course at Tall Chief Cove will also place the course closer to the greater Tulsa area population. With regard to setting, the CrossTimbers golf course designer regards the Tall Chief Cove location as superior, with a minimum of 13 holes with potential lake views. In addition, the course designer anticipates creating both links and traditional golf hole designs, which will enhance both views and play.

Comment: Locating campgrounds at Skiatook Point will isolate RV users from the CrossTimber facilities. Boating and swimming will be more difficult at Skiatook Point.

Response: It is the experience of USACE that overnight RV camping is typically separate from day use recreation activities. Although not as protected from wind as the Tall Chief Cove area, boat access has been available and heavily utilized at Skiatook Point for more than 15 years, and boat access will continue with development of the proposed camping area. Temporary mooring or short-term use boat dock facilities are planned for construction in the general campground area. Development of a swimming area at one of the coves at Skiatook Point is anticipated as part of the future campground construction, which increases recreational opportunities for the public.

Comment: Concerned about increased traffic flow, crime, and vandalism at Skiatook Point if camping area constructed there. These problems are already present at Tall Chief Cove.

Concerned with vandalism to Healing Rock due to campground use at Skiatook Point.

Response: StateSource plans for the camping area at Skiatook Point includes the construction of trails and roads for camper use. Security, signage, and surveillance cameras are all anticipated to be used in the camping area. See Section IV.B.9 of this EA for information on tribal concerns regarding Healing Rock and mutually agreed to actions that will be taken to minimize the likelihood of vandalism at this significant cultural feature.

4. Steve and Mary Short (email dated March 28, 2006)

Comment: Would prefer the golf course to remain at original location. Concerned about campground being closer to residential areas and possible decrease to property values.

Response: See response to Comment #1 and Comment #13.

5. Oklahoma Archeological Survey (letter dated March 29, 2006)

Comment: Comments on the CrossTimbers project previously provided in a letter dated March 31, 2003. Healing Rock will be protected from development plans and will meet the concerns of the tribes. Notes that site 34OS678 will require further evaluation to determine eligibility to the National Register of Historic Places. Did not see further mention of the two historic archeological sites (34OS676 and 34OS677) previously recorded in the SEDA lease area.

Response: See Sections III.E. and IV.B.9 for specific information regarding sites 34OS678 and the Healing Rock. The two historic sites (34OS676 and 34OS677) are located east of Skiatook Point and will not be impacted by any planned development activities at this time. Both of these sites were determined to be ineligible for the National Register of Historic Places during consultation with the Oklahoma SHPO in 2003 during the original EA review process.

6. Kevin Clough (letter dated March 29, 2006)

Comment: Currently constructed trail in the vicinity of his neighborhood (East Ridge Estates) does not match the location of the trail as it was presented in public meetings and on the CrossTimbers webpage.

Response: Trail locations and construction was addressed in the original EA and is outside of the scope of the current EA. However, information presented to the public regarding the location of trails in the CrossTimbers development was meant to show general routes and not final designed alignments. The present trail alignment was approved by USACE to minimize the loss of mature trees and decrease the amount of potential sediment runoff likely to occur after construction. The trails were constructed to generally follow the original USACE boundary/firebreak that was cleared shortly after the property was purchased by USACE.

Comment: Requests information on the type of trail surface to be constructed, what type of security program will be put in place, liability of adjacent landowners, disposition of removed timber, and damage to boundary fence and adjacent property.

Response: According to StateSource, trail surfaces within the CrossTimbers development will vary, but may include natural, asphalt, and other proven trail surfaces. Security on the trails will be provided by signage and enforcement of access restrictions by CrossTimbers employees and contractors. Boundary fencing along trail sections will be repaired or replaced as necessary to secure trail access. Signage is being installed along the trail to alert potential trail users to the requirement that all access must be approved in advance by CrossTimbers personnel. Vegetation removed during trail construction will be disposed of in accordance with current state law, which may include burning where allowed and appropriate. USACE has inspected the trail construction activities in the vicinity of East Ridge Estates and has not identified any damage to adjacent private property as a result of the CrossTimbers trail construction.

Comment: Concerned with decrease in stormwater runoff from neighborhood due to drainage changes made as a result of CrossTimbers trail construction.

Response: Storm water discharges associated with construction are regulated by the Oklahoma Department of Environmental Quality (ODEQ). The ODEQ issues permits for construction sites according to the rules established under the Oklahoma Pollution Discharge Elimination System (OPDES), as promulgated under OAC 252:605 standards. Storm water permits are required for construction activities that disturb more than one acre, cumulative. All storm water general permits require the permittee to complete, implement and maintain a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP has to meet the requirements set forth in the general permit and must be tailored to meet the specific sites specifications and requirements. CrossTimbers development is covered under Oklahoma Permit OKR101494 authorizing discharge under the OPDES Storm Water Construction program (attached). Their SWPPP is available for review upon request. ODEQ personnel inspect the construction site for compliance with Oklahoma regulations as dictated by the permit requirements. The last inspection was completed on April 10, 2006 and no violations were noted (attached). The trail bridge in question was constructed with USACE approval and utilized best engineering practices in accordance with the SWPPP to avoid silting and erosion that might undermine the bridge. A recent ODEQ stormwater inspection conducted on April 10, 2006 found the bridge and associated drainage changes actually improved the effective flow of stormwater through the drainage.

Comment: Concerned about noise impacts from existing Red Castle Gun Club to golf course if moved to Tall Chief Cove area.

Response: The Tall Chief Cove campground has been in existence since 1989, and USACE has not received complaints from campers regarding noise from the Red Castle Gun Club. Accordingly, we do not anticipate noise generated by the gun club will be a disturbance to CrossTimbers golfers.

7. Stephanie Upton (email dated March 31, 2006)

Comment: Favors the proposed CrossTimbers facilities relocations.

Response: Supports proposed alternative.

May 5, 2004 12:55PM BRETSCH & ASSOCIATES, INC. NO. 1483 P. 2/2

Oklahoma Department of Environmental Quality Authorization to Discharge Under the OPDES Storm Water Construction General Permit

AUTHORIZATION NO. OKR101494

In compliance with the Oklahoma Pollution Discharge Elimination System (OPDES) Act 27A O. S. §2-6-201, the Rules of the Department of Environmental Quality (DEQ), and in reliance on the certified statements and representations heretofore made in its application,

StateSource LLC
320 S Boston Ave, Suite 500
Tulsa, OK 74103-

Is authorized to discharge storm water from a construction site located in Osage County at:
Crosstimbers
Skiatook Lake - 1/2 mile N of 11785 Lake Road
Skiatook Oklahoma

The receiving body of water is Hominy Creek.

This Facility Discharges into a 303(d) listed Stream

The OPDES requires permittees to have a Storm Water Pollution Prevention Plan (SWP3) which includes a description of appropriate sediment control measures. These are applicable to your construction site, which is subject to inspection. Proof of this authorization must be available at the construction site.

The Authorization shall become effective April 30, 2004 and will expire at midnight on September 12, 2007.

All terms and conditions of the modified OPDES Storm Water Construction General Permit OKR10, as published on September 13, 2002, shall apply to the recipient of this authorization.



Mark Derichsweller
Mark Derichsweller, P. E., Engineering Manager
Watershed Planning and Toxics Control Section,
Water Quality Division

APR-24-2006 16:05

BARTLESVILLE DEQ

9183332853 P.02



Oklahoma Department of Environmental Quality
Water Quality Division
INSPECTION REPORT - STORM WATER

ROUTING
1. ECLS-encode
2. WQD-encode
3. Central File

Activity type (check only one)

☒ Construction (OKR10)☐ Industrial (OKGP)

Complaint Number

OPDES Authorization No. OKR10/OKGP

County

Osage

Site/Facility Name

3205 Boston

Tulsa

74103

Contact Name
Ron HowellSite/Facility Address
Pies OwnerCity
TulsaZip
74103Phone Number
(918) 288-2332

The below listed references are cited in the General Permit for Construction Activities OKR10, and the General Permit for Storm Water Discharges from Industrial Facilities GP-00-01.

SECTIONS	REFERENCES	Requirement Descriptions	Item	Violation	Descriptions of Deficiencies
PERMIT VERIFICATION	Part 1.C.4	Facility permitted: NOT on file	*01		
	Part 4	SWPPP developed	*02		
	Part 4.B	SWPPP posted at the construction or facility site or is locally available	03		
OPERATIONS	Part 4.C	BMP properly implemented in accordance with SWPPP	*04		
	Part 4.D.3	Silt barriers in place, effective and maintained	05		
	Part 4.D.2	Sediment basins (if required) adequate and maintained as required	06		
	Part 5.D.4	Inspection of BMPs at required frequency and documented in SWPPP	07		
	Part 4.D.2	Vegetation established on completed areas	08		
	Part 4.E.2.c	Offsite tracking of road, sediment and/or materials prevented	09		
	Part 4.E.2	Other control measures implemented	10		
	Part 3	Non-Allowable Discharges Prevented	*11		
	Part 5.1.1	Quarterly visual monitoring performed from representative outfalls; visual examination reports maintained onsite with the SWP3	12		
	Part 5.1.5	Numeric Effluent Limitation Monitoring performed (if required); NELM reports maintained onsite with SWP3	13		
	Part 4.8	Annual Comprehensive Site Compliance Evaluation Report completed and submitted for previous permit year	14		
TRANSFER	Part 4	Temporary stabilization controls in place, adequate and functioning	*15		
	Part 1.D.2	Transfer documentation submitted	16		
TERMINATION REQUIREMENTS					
TERMINATION	Part 9.J	70 % vegetative cover established, temporary control measures removed	*17		
	Part 9.J	Permanent control measures installed	18		
	Part 1.4.2	Operations have ceased	*19		
	Part 1.4.2	Permitted discharges have ceased	*20		

Site looks good

Critical items are indicated in bold and by an asterisk (*) in the item column.
All critical items marked must be corrected within 14 days or as specified by the inspector. Other violations must be corrected by the next regular inspection or by the date specified.

FACILITY STATUS

- ☐ 46: Repeat Violation(s)
☐ 47: Under Current Enforcement
☒ 48: No Violation Noted

ACTION

- ☒ 49: None
☐ 50: Refer to WQD

Date: 4.10.06

Total number of items marked

0

Number of critical items marked

0

Signature: [Signature] Employee ID: 6430
Title: Environmental Specialist
Copy received by: Ron Howell - PRESIDENT CROSS TIMBERS Title:

PURPOSE OF VISIT

- ☒ 49: Compliance Monitoring
☐ 50: Complaint
☐ 51: Follow-up
☐ 52: Emergency/Disaster
☐ 53: Training

NOTICE TO COMPLY BY: _____

DEQ FORM 8 668-313 (Rev. 09-1003)

8. Don England (email dated March 31, 2006)

Comment: Favors proposed relocation of the golf course and campground.

Response: Supports proposed alternative.

9. Lisa and Blaine Burn (email dated March 31, 2006)

Comment: Favors proposed relocation of the golf course.

Response: Supports proposed alternative.

10. Marc Kodack (email dated April 1, 2006)

Comment: Questions regarding possible impacts to the American burying beetle, timing of beetle surveys.

Response: American burying beetle habitat is specific to certain soil types and textures. At the present time all construction activity has been halted in areas where potential American burying beetle (ABB) habitat may be located until ABB surveys have been conducted. ABB surveys will be conducted within the CrossTimbers development in accordance with the “Construction Best Management Practices for Minimizing Impacts to the American Burying Beetle” as detailed in Appendix A of this EA. This protocol was developed by the U.S. Fish and Wildlife Service, and was reviewed and accepted by the Service during informal consultation. In accordance with the protocol, ABB surveys will be conducted during the insect’s active season when nighttime temperatures consistently exceed 60 degrees F. If ABBs are determined to occur within a proposed construction area, they will be baited away or trapped and relocated from the construction area and the site monitored according to the procedures outlined in Appendix A.

Comment: Need to include original Environmental Assessment for the CrossTimbers development as an appendix to the current draft EA.

Response: The original Environmental Assessment for the CrossTimbers development was not included as an appendix to the current EA due to length (approximately 350 pages). However, the original EA is available through the Tulsa District web page by clicking the following link: <http://www.swt.usace.army.mil/library/libraryDetail.cfm?ID=162>

Comment: Information used to assess area populations under Environmental Justice.

Response: The Tall Chief Cove and Skiatook Point Public Use Areas are zoned recreation-intensive use in the Skiatook Lake Master Plan. The review of the proposed action, relative to Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, identified greater public recreational opportunities and no adverse human health or significant environmental impact solely related to the proposed action. Further analysis of potentially affected populations is therefore not necessary.

Comment: Visual impacts to National Register eligible cultural resources.

Response: See Sections III.E. and IV.B.9 for specific information regarding cultural resources located near the proposed development areas. Site 34OS678 is located on USACE

property associated with the Skiatook Lake office, and is not part of the actual SEDA lease area. There are no plans at this time that would affect this site. Consultation with the Osage Nation and Quapaw Tribe in January 2006 did include a discussion by the tribal representative on the need to protect Healing Rock from vandalism without resorting to chainlink fencing and negative signage. This discussion led to the agreement by all parties that protection and interpretation of historic properties at Skiatook Lake was desired and appropriate, and would be conducted under the guidelines detailed in Section IV.B.9.

Comment: Preparation of turf management plan after completion of the proposed EA.

Response: Since final design of the proposed golf course will depend on the approved location, it is not prudent to design the course until such time as that decision has been made. With respect to the proposed golf course, the purpose of the Environmental Management Plan (and the turf management plan) is to provide guidance in the construction and implementation of effective turf management to minimize runoff and enhance vegetation management. Once the decision on the golf course location is approved by USACE, StateSource will initiate work with the golf course designer on the course layout and begin to address the specific turf management needs that the course will require. USACE environmental oversight of the SEDA lease does not end with the completion of the NEPA documentation. The SEDA lease requires full compliance with all applicable environmental laws and regulations. USACE conducts annual environmental and safety compliance inspections to insure that each lease holder is complying with all applicable laws and regulations. The SEDA lease requires the lessee, and all sublessees, to protect the project against pollution of the air, ground, and water, and to comply with any laws, regulations, conditions, or instructions when issued by any Federal, state, interstate, or local governmental agency having jurisdiction to abate or prevent pollution. The requirement in the SEDA lease for an evolving Environmental Management Plan provides additional means to assure continuing environmental responsibility during the construction and operation of the CrossTimbers development.

Comment: Temporary changes to air quality during construction.

Response: See Section IV.B.11 for the discussion of air quality impacts. Construction of the golf course, camping and RV park, marina, and village would result in a temporary increase in air pollutants in the project area. The types of construction equipment used in the project area (e.g., tractor, loader, backhoe) will generate diesel fuel and dust air pollutants. The operation of construction equipment would vary from intermittent to fairly continuous, and many pieces of equipment may operate at the same time. Although construction-related air pollution would occur in the construction areas of the project during the initial construction period, these effects are considered relatively minor for the following reasons: (i) the air quality impacts will be localized and temporary, (ii) the most intensive construction activities would occur over a relatively short period of time, and (iii) the total air pollutants generated by the proposed development will not result in the region becoming a non-attainment area for air pollutants.

Comment: Recreation use anticipated during preparation of initial environmental documents vs. recreation use currently taking place at Skiatook Lake.

Response: The Skiatook Point Public Use Area is zoned Recreation-Intensive use in the Skiatook Master Plan prepared by USACE in September 1976. Appropriate uses on

recreation-intensive zoned lands include camping, picnicking, hiking, group activities, and related activities. USACE initial development plans for Skiatook Lake included 8 fully developed public use areas, with an annual visitation of more than 1,500,000 people. Facilities actually developed by USACE at Skiatook Lake included only two fully developed public use areas and four lake access points. Annual visitation to these facilities averages 500,000 people each year. Development of additional camping facilities at Skiatook Point is consistent with the Skiatook Lake Master Plan, will reduce congestion in the Tall Chief Cove Public Use Area, and will provide needed camp sites for those lake visitors who do not desire the resort-based recreation experience being developed at CrossTimbers.

11. James Zingerman (email dated April 2, 2006)

Comment: Security concerns regarding construction of campground at Skiatook Point.

Response: See response to Comments #3 and 6 above.

12. Bruce Krefting (email dated April 2, 2006)

Comment: Insufficient public notification of proposed action.

Response: NEPA has no minimum requirement for public notification and comment solicitation for the preparation of an Environmental Assessment. USACE chose to allow a 15 day public comment period for this EA, and utilized our typical means of public notification (publishing a Notice of Availability in local newspapers and placing the document on the Tulsa District webpage). This was deemed adequate because all of the proposed development activities were previously addressed in the original EA for the CrossTimbers development on February 13, 2003. The current EA addresses the more limited scope of the change in locations of the golf course and camping areas at Skiatook Point and Tall Chief Cove, and therefore did not merit a longer review period. The draft EA was sent to all individuals on the original EA mailing list and those who provided comments. Additionally, a great deal of information has been made available to the public by SEDA and StateSource regarding all proposed development in the lease area prior to preparation of this current EA, including public meetings with adjacent homeowners associations and property owners.

Comment: Against proposed relocation of the golf course.

Response: Disagrees with proposed alternative.

Comment: Security concerns associated with movement of campground to Skiatook Point.

Response: See response to Comments #3 and 6 above.

Comment: Fire risk associated with proposed campground at Skiatook Point.

Response: The camping season on Skiatook Lake typically begins in April and ends in October. Since these months coincide with the plant growing season, the threat of fire during this period in most years is minimal. The Corps of Engineers experience at Skiatook Lake indicates that the incident of wildfires initiating from a developed campground are rare. Reasons for this include the low fuel levels in these areas which are regularly mowed and the network of roads in the areas that act as firebreaks. In fact, the number of wildfires arising from natural causes exceeds those from campground activities.

13. Allan McKay (email dated April 3, 2006)

Comment: Impacts to property values associated with relocation of golf course and camping area.

Response: See response to Comment #1 above.

Comment: Rationale for proposed facilities relocation.

Response: The requested change in golf course location from Skiatook Point to Tall Chief Cove is based on the identification by the golf course designer that the golf course could fit in the Tall Chief Cove area and still leave room for the additional development already approved for the village area. Initially, this was not believed possible, and therefore was not considered as an alternative in the original EA. Combining the golf course and village in the Tall Chief Cove area will keep similar recreational purposes together, and it is anticipated this will lead to a more economically successful facility layout.

Comment: Request meeting and further public input on proposed action.

Response: See response to Comment #23 below.

14. Mark Schell (email dated April 3, 2006)

Comment: General support for proposed CrossTimbers development and facilities relocation.

Response: Supports proposed alternative.

15. Glenn D. Yandell (email dated April 3, 2006)

Comment: Request meeting and further public input on proposed action.

Response: See response to Comment #23 below.

16. David and Debbie Kendall (email dated April 3, 2006)

Comment: General concern regarding proposed relocation of golf course and campground.

Response: See response to Comments #1, 3, 12 and 13 above.

17. James Paynter, Jr. (email dated April 3, 2006)

Comment: Did not receive requested copy of draft EA.

Response: We apologize for not placing your name on the original mailing list for the draft EA. It was an oversight on the part of USACE.

Comment: Means of requesting public input.

Response: See response to Comment #12 above.

Comment: Concerns regarding trails requirements, maintenance, and security.

Response: See response to Comment #6 above.

Comment: Lack of adjacent landowner contact by StateSource regarding proposed action.

Response: See response to Comment #12 above.

Comment: Water quality concerns and impacts from proposed action.

Response: Potential impacts to water quality as a result of the proposed action have been addressed in Section IV.B.10 of this EA.

Comment: Concerned with long-term project viability.

Response: Although it is acknowledged that some resort projects experience varying degrees of economic success and decline over time as described by the comment, USACE cannot evaluate recreation development proposals only on the basis of possible negative outcomes. The federally-constructed recreation facilities at Skiatook Lake were well below design levels needed to meet the recreating needs of the public. USACE feels it would not be fair to the public to ignore an opportunity to utilize a public-private partnership to provide additional recreation services to the public. All recreation development proposals are evaluated with respect to economic feasibility, quality of proposed development, and financial capabilities of the developer in order to minimize incidences of developmental or economic failures during a lease.

Comment: Loss of lake visual quality.

Response: See response to Comment #10. As detailed in the original and current EA for the CrossTimbers development, natural landscapes and habitat will be incorporated into the development wherever possible and detailed as part of the project Environmental Management Plan.

18. Ron Miller (email dated April 4, 2006)

Comment: Agree with proposed move of golf course and camping area.

Response: Supports proposed alternative.

19. Thomas Alexander (email dated April 4, 2006)

Comment: Supports proposed move of golf course and camping area.

Response: Supports proposed alternative.

20. Oklahoma Department of Wildlife Conservation (fax dated April 4, 2006)

Comment: Concerned with loss of habitat resulting from proposed action. Requests additional lands opened to hunting and recommends additional mitigation actions.

Response: As stated in Section IV.B.6, hunting opportunities on approximately 300 acres of USACE property would be impacted by the rezoning of project lands from recreation low-density to recreation-intensive use. USACE has agreed to offset this loss of hunting opportunity by rezoning approximately 300 acres of undeveloped lands in the Twin Points Recreation Area from recreation-intensive to wildlife management general. As part of the mitigation requirements for impacts to terrestrial habitat, approximately 120 acres at Gouin Point would be rezoned from recreation-intensive use to wildlife management general. Both of these areas would be protected from future development, managed for both game and non-game species, and be available for hunting opportunities. Many of the amenities planned as

part of the CrossTimbers development in Tall Chief Cove and Skiatook Point have been identified for construction since 1976. Impacts resulting in loss of habitat and associated mitigation for those losses were addressed by USACE in the Final Environmental Statement for Skiatook Lake published in February 1972.

Comment: USACE should open the Hominy Landing park to archery only or shotgun with pellets hunting.

Response: Hunting opportunities are reviewed annually by natural resources personnel at the Skiatook Lake project office. Through this process areas are added, downsized, or removed from the lake hunting program, and changes to the hunting designations (e.g. archery only or shotgun with pellets) are considered. While opening Hominy Landing park to hunting is not part of the mitigation proposed for this EA, opportunities exist for discussion with the Skiatook Lake project office regarding opening additional areas for hunting or changing hunting designations.

21. James Pardee as President of Santa Barbara Cove Homeowners Association I (fax dated April 4, 2006)

Comment: Security concerns associated with movement of campground to Skiatook Point.

Response: See response to Comments #3 and 6 above.

Comment: Requests extension of review and comment period for draft EA.

Response: USACE has considered this request for an extension to the public comment period for this EA. In a letter dated April 11, 2006, Tulsa District Commander Colonel Miroslav P. Kurka declined this request, stating that the comments received during the 15 day public review period are sufficient to allow him to make an informed decision on the proposed action (see attached letter).



DEPARTMENT OF ARMY
CORPS OF ENGINEERS, TULSA DISTRICT
1645 SOUTH 101ST EAST AVENUE
TULSA, OKLAHOMA 74128-4609

APR 11 2006

Planning and Environmental Division
Environmental Analysis and Compliance Branch

Mr. James L. Pardee
President, Santa Barbara Cove
Homeowner's Association
11658 Santa Cruz Drive
Skiatook, OK 74070

Dear Mr. Pardee:

This is in response to your April 4, 2006, letter requesting a 30-60 day comment period extension for the Draft Environmental Assessment of the Proposed Relocation of Golf Course and Camping/RV Area, Crosstimbers Development Project, Skiatook Lake, Oklahoma (dated March 20, 2006). The 15-day public comment period for this document recently closed on April 5, 2006. Your letter indicates that a comment period extension would provide for further review and comment by area homeowners.

I appreciate your interest in this proposal and your willingness to provide input. I am respectfully unable to accommodate your request for an extension to the public comment period. It is my decision that comments received during the public review period are sufficient for me to make an informed decision on this proposal. Owing to your participation in providing comments, you will be added to our mailing list for future documents regarding this proposal. Accordingly, you will be informed of my final decision.

If you have additional questions, please contact Mr. Steve Nolen at 918-669-7660 or e-mail Stephen.L.Nolen@usace.army.mil.

Sincerely,

Miroslav P. Kurka
Colonel, U.S. Army
District Engineer

22. U.S. Fish and Wildlife Service (fax dated April 5, 2006)

Comment: Shortened public comment period does not allow adequate time for coordinated comments and meaningful public involvement.

Response: See response to Comment #12 above.

Comment: American burying beetle protocol contained in Appendix A, not Appendix B as stated in draft EA.

Response: Concur. Change made in the EA.

Comment: Concerned with loss of habitat resulting from proposed action. Requests additional lands opened to hunting and recommends additional mitigation actions.

Response: See response to Comment #20 above.

23. Bruce Krefting as President of Beverly Hills Lake Estates II Property Owners Association (email dated April 5, 2006)

Comment: Requests a meeting for further information sharing and requests an extension of public review period.

Response: USACE has considered this request for a meeting and extension to the public comment period for this EA. In a letter dated April 11, 2006, Tulsa District Commander Colonel Miroslav P. Kurka declined this request, stating that the comments received during the 15 day public review period are sufficient to allow him to make an informed decision on the proposed action (see attached letter).



DEPARTMENT OF ARMY
CORPS OF ENGINEERS, TULSA DISTRICT
1645 SOUTH 101ST EAST AVENUE
TULSA, OKLAHOMA 74128-4609

APR 11 2006

Planning and Environmental Division
Environmental Analysis and Compliance Branch

Mr. Bruce Krefting
President, Beverly Hills Lake Estates II Property
Owner's Association
14389 Giorgio Drive
Skiatook, OK 74070

Dear Mr. Krefting:

This is in response to your April 5, 2006, e-mail requesting a 30-60 day comment period extension and a formal review meeting for the Draft Environmental Assessment of the Proposed Relocation of Golf Course and Camping/RV Area, Crosstimbers Development Project, Skiatook Lake, Oklahoma (dated March 20, 2006). The 15-day public comment period for this document recently closed on April 5, 2006. We also received e-mail comments for this proposal from you on April 2, 2006.

I appreciate your interest in this proposal and your willingness to provide input. I am respectfully unable to accommodate your request for either an extension to the comment period or a formal review meeting with you and other local residents. It is my decision that comments received during the public review period are sufficient for me to make an informed decision on this proposal. Owing to your participation in providing comments, you will be added to our mailing list for future documents regarding this proposal. Accordingly, you will be informed of my final decision.

If you have additional questions, please contact Mr. Steve Nolen at 918-669-7660 or e-mail Stephen.L.Nolen@usace.army.mil.

Sincerely,

Miroslav P. Kurka
Colonel, U.S. Army
District Engineer

24. Ladd Drummond (email dated April 5, 2006)

Comment: Support moving golf course to Tall Chief Cove area.

Response: Supports proposed alternative.

25. Karen Harris (email dated April 5, 2006)

Comment: Request explanation of shortened public review period. Requests extension of public review period.

Response: See response to Comment #12 above. See response to Comments #21 and 23 regarding an extension to the public review period for this EA.

Comment: Concerned with potential impacts to neo-tropical birds and ancient Cross timbers ecosystem.

Response: Impacts to migratory bird species were evaluated in accordance with Executive Order 13186, Responsibilities of Federal Agencies to Protect Migratory Birds. There is no threatened or endangered neo-tropical birds nesting habitat present in the Skiatook Lake area. While several species of neo-tropical birds are present in the Tall Chief Cove and Skiatook Point Recreational Use Areas, the grass-shrublands and savanna-woodlands habitats present in these two areas are abundant on USACE lands surrounding Skiatook Lake. Increased habitat fragmentation and alteration will occur locally in the proposed project area as a result of construction and continued development. However, these local changes will not significantly impact neo-tropical bird habitat on USACE lands at the Skiatook Lake project. See Sections III.D.7 and IV.B.1 for discussion on ancient cross-timbers and potential impacts to the ecosystem.

Comment: Impacts of pesticides and fertilizers on Skiatook Lake.

Response: Water quality concerns have been addressed in Section IV.B.10 of this EA.

Comment: Questions use of particular plant species in minimizing potential impacts from nutrient runoff into Skiatook Lake.

Response: Water quality concerns have been addressed in Section IV.B.10 of this EA. Use of best management practices to control nutrient runoff from the proposed golf course have been addressed in Section IV.B.10 of this EA.

Comment: Mitigation adequacy.

Response: See Section V of the current EA for discussion on mitigation. USACE believes that the proposed mitigation identified in the EA is sufficient to mitigate for the loss of terrestrial habitat that will be impacted by the proposed CrossTimbers development.

Comment: Incentive of StateSource to be good land steward.

Response: See response to Comment #10 above.

Comment: Environmental Impact Statement required.

Response: There were no significant impacts identified to warrant preparation of an Environmental Impact Statement. Therefore, completion of this EA will be sufficient to comply with the National Environmental Policy Act.

26. Gary Harkreader (email dated April 5, 2006)

Comment: Agree with proposed golf course and campground relocation.

Response: Supports proposed alternative.